

CLASSIFICATION OFFICE DECISION

Title of publication: marie1.jpg

Other known title(s): Not stated

OFLC ref: 1200120.002

Medium: Computer Image File Printout

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Secretary for Internal Affairs

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 29 March 2012

Date of direction to issue a label: No direction to issue a label has been issued

Summary of reasons for decision:

The availability of the computer image file printout is restricted to persons who have attained the age of 18 years because it depicts an explicit sexual image. The image is intended for adult viewers and for the purpose of sexual arousal. Its availability to children or young people is likely to have a negative effect on the development of sexual behaviour and attitudes.

The New Zealand Bill of Rights Act 1990 has been considered in the application of the criteria of the Films, Videos, and Publications Classification Act 1993 to this publication. The classification places a limit on the freedom of expression, but the availability of the image file to children and young people is likely to be injurious to the public good. The classification is reasonable, demonstrably justifiable and the minimum required to avoid injury.